



Agenda Item Number: _____

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: June 22, 2010

Department: Zoning, Building, Planning **Staff Contact:** Catherine VerEecke, Program Planner

TITLE: CONSENT: Special Use Permit for a Contractor's Yard (CSU-20100005)

COUNTY PLANNING COMMISSION RECOMMENDATION:

Approval

SUMMARY:

At the May 5, 2010 public hearing, the County Planning Commission voted (6-0, Commissioner Melendrez excused) to recommend approval of the request for a Special Use Permit for a Contractor's Yard on Lots C & D, Merritt Acres, located at 6320 & 6328 2nd Street NW, zoned C-1 with a Special Use Permit for a Construction Yard, and containing approximately 1.18 acres. The decision was based on the following six (6) Findings and subject to the following thirteen (13) Conditions.

Findings:

1. This request is for approval of a Special Use Permit for a Contractor's Yard on Lots C & D, Merritt Acres, located at 6320 & 6328 2nd Street NW, zoned C-1 with a Special Use Permit for a Construction Yard, and containing approximately 1.18 acres.
2. The property is located in the Semi-Urban Area of the Albuquerque/Bernalillo County Comprehensive Plan and the North Valley Area Plan.
3. This property has a Special Use Permit for a Construction Yard (CSU-90-41). The granting of this Special Use Permit (CSU-20100005) supersedes the previous permit (CSU-90-41).
4. This request is consistent with Resolution 116-86 in that the proposed land use is more advantageous to the community in that the North Valley Area Plan Policy 2.3.c states that "the City and County shall promote commercial development and redevelopment of existing commercially-zoned properties".
5. The request is consistent with Resolution 116-86 in that there have been changed neighborhood conditions in the vicinity of the site along Second St., including the establishment of light industrial and heavy commercial uses.
6. This request is consistent with the health, safety, and general welfare of the residents of the County.

Conditions:

1. The applicant shall obtain building permits for the existing and proposed storage buildings on the property within three months of the final Board of County Commissioners' approval.
2. Lighting shall be site specific. Shielded or cutoff lighting fixtures shall be provided so that no fugitive light crosses into adjacent lots.
3. There shall be a six-foot high solid fence or wall along the property line (east) abutting residential uses.
4. There shall be a landscaped front yard along 2nd Street as shown on the site plan dated March 22, 2010, landscape buffer to comply with Section 18 (Landscaping and buffer landscaping regulations) between the existing business and the adjacent residential properties, to be established within nine months of the final Board of County Commissioner's approval.
5. The applicant shall provide, within three months of the final Board of County Commissioner's approval, evidence of abandonment of septic tanks on the site to the Bernalillo County Office of Environmental Health and to the Zoning, Building, and Planning Department.
6. A driveway permit for the access on Second St. shall be obtained from the New Mexico Department of Transportation within two months of the final Board of County Commissioners' approval. A copy of the permit shall be provided to the Public Works Division and the Zoning, Building, and Environmental Health Planning Department.
7. A final grading and drainage plan shall be submitted for review and approval to Bernalillo County Public Works Division within 90 days of the final Board of County Commissioner's approval. A copy of the approval shall be submitted to the Zoning, Building, Planning, and Environmental Health Department.
8. A traffic scoping study shall be submitted for review and approval to Bernalillo County Public Works Division within 90 days of the final Board of County Commissioner's approval. A copy of the approval shall be submitted to the Zoning, Building, Planning, and Environmental Health Department.
9. Parking on the site shall comply with Section 21 of the Zoning Ordinance (Off-Street Parking, Loading and Unloading Regulations) including the number and of parking spaces and surfacing of parking areas. All off-street parking areas (vehicles, trucks) on the property shall be surfaced as shown on the site plan with the existing asphalt and gravel. The site plan shall be revised to reflect that there shall be no parking along 2nd Street, on the west side of the building, and the ADA parking spaces shall be appropriately marked to indicate the location of the space and paved with hard surface.
10. The Special Use Permit shall be issued for twenty years.
11. A revised site development plan consistent with the Conditions of Approval shall be

submitted for review and approval to the Zoning Administrator within two months after the final Board of County Commissioners' approval. The revised site plan shall show all existing and proposed signage, landscaping, required parking and surfacing, and walls/fences on the site.

12. Within 60 days of final Board of County Commissioners approval, the applicant shall submit to the Bernalillo County Fire Department Hazardous Materials Handlers Plan, as well as an emergency response plan. A copy of the approval shall be submitted to the Zoning, Building, Planning, and Environmental Health Department.
13. The foregoing conditions shall become effective and shall be strictly complied with immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit.

ATTACHMENTS:

1. County Planning Commission Notice of Decision Letter (May 10, 2010)
2. County Planning Commission Information Packet
3. Approved Site Plan, dated March 22, 2010

STAFF ANALYSIS SUMMARY

ZONING, BUILDING & PLANNING:

Staff recommends Approval.

VERSION 5.0